

Neifeld Docket No: CAT/29US-SCROCO

Application/Patent No: 09/401,939

USPTO CONFIRMATION NO: 5333

File/Issue Date: 9/23/1999

Inventor/title: Scroggie/System and Method for Providing Shopping Aids and Incentives to Customers Through a Computer Network

Examiner/ArtUnit: Janvier/3622

BPAI DOCKET NO: 2008-4478

EX PARTE SCROGGIE

37 CFR 1.7(c) FILING RECEIPT AND TRANSMITTAL LETTER

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2. **FEES:** \$450

FEES PAID HEREWITH BY CHECK:

FEES: FRAP 52 FEE FOR APPEAL: \$450

PAYABLE TO: CLERK, COURT OF APPEALS FOR THE FEDERAL CIRCUIT

3. **THE FOLLOWING DOCUMENTS ARE SUBMITTED HEREWITH:**

1. CERTIFICATE OF SERVICE by "mailed to ... the General Counsel as provided in § 104.2."
See 37 CFR 1.302(e).

2. 37 CFR 1.302 NOTICE OF APPEAL TO THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT

3. CAFC FORM 5. "Petition for Review or Notice of Appeal of an Order or Decision of an AGENCY, BOARD, COMMISSION, OFFICE OR BUREAU."

4. CAFC FORM 8. "Entry of Appearance" for Richard Neifeld

5. CAFC FORM 9. "Certificate of Interest"

6. CHECK FOR \$450 PAYABLE TO: CLERK, COURT OF APPEALS FOR THE FEDERAL CIRCUIT

DATE: 9/4/2010

SIGNATURE: /RichardNeifeld#35,299/

RICHARD NEIFELD

Printed: September 4, 2010 (12:13pm)

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CERTIFICATE OF SERVICE

The undersigned hereby certifies that the following papers:

2. 37 CFR 1.302 NOTICE OF APPEAL TO THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT
3. CAFC FORM 5. "Petition for Review or Notice of Appeal of an Order or Decision of an AGENCY, BOARD, COMMISSION, OFFICE OR BUREAU."
4. CAFC FORM 8. "Entry of Appearance" for Richard Neifeld
5. CAFC FORM 9. "Certificate of Interest"

have been served on the Director of the USPTO in the manner required by the USPTO as specified in 37 CFR 1.302/104.2(a), specifically, by mail to:

Office of the General Counsel, United States Patent and Trademark Office,
P.O. Box 1450, Alexandria, Virginia 22313-1450.

These papers are also being EFS filed pursuant to firm procedure.

Date of service: _____

/RichardNeifeld#35,299/

RICHARD NEIFELD, REG NO. 35,299

ATTORNEY FOR APPLICANT/PETITIONER

Neifeld Docket No: CAT/29US-SCROCO

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EX PARTE SCROGGIE

37 CFR 1.302 NOTICE OF APPEAL TO THE COURT OF APPEALS FOR THE FEDERAL CIRCUIT

Catalina Marketing Corporation appeals from the decision dated July 19, 2010 in appeal 2008-004478 in application 09/401,939 "DENY[ing] the request ... [to] reverse the Examiner as to claim 32-40, 43, 45-53, 56, 58-66, 69, and 71-76". That is, Catalina Marketing Corporation appeals from the decision of the final decision of the United States Patent and Trademark Office affirming the rejections of all claims in application 09/401,939.

TRULY, /RichardNeifeld#35,299/
RICHARD NEIFELD,
USPTO REGISTRATION NO. 35,299
VIRGINIA BAR REGISTRATION NO: 37,310
DC BAR REGISTRATION NO: 453578
ATTORNEY OF RECORD.

RAN

Printed: September 4, 2010 (12:13pm)

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CROCO_7-19-2010.wpd

FORM 5. Petition for Review or Notice of Appeal of an Order or Decision of an AGENCY, BOARD, COMMISSION, OFFICE OR BUREAU.

United States Court of Appeals for the Federal Circuit


CATALINA MARKETING CORPORATION, Petitioner or Appellant,

v.

PETITION FOR REVIEW

KAPPOS,USPTO, Respondent or Appellee

CATALINA MARKETING CORPORTION (name all parties* bringing the petition or appeal) hereby petition/appeal the court for review of the DECISION (describe the order or decision and include decision number) of the BPAI IN DOCKET 2008-004478 (name the agency, board, office or bureau) entered on July 15 2010 (date). The order or decision was received on July 19 2010 (date).



(Signature of petitioner, appellant or attorney)

RICHARD PFEIFFER
NEFFIELD PLLAW PC
4013 BRIDGEMAN AVENUE
ALEXANDRIA, VA 22304
TEL: 703.415.9112 ext 100
FAX: 703.415.9013

(Address and phone number of petitioner, appellant or attorney)

*See Fed. R. App. P. 15 for permissible ways of identifying petitioners.

FORM 8. Entry of Appearance

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CATALINA MARKETING CORPORATION v. KAPPOS, DIRECTOR OF THE USPTO

No. _____

ENTRY OF APPEARANCE

(INSTRUCTIONS: Counsel should refer to Federal Circuit Rules 47.3. Pro se petitioners and appellants should read paragraphs 1 and 18 of the Guide for Pro Se Petitioners and Appellants. File this form with the clerk within 14 days of the date of docketing and serve a copy of it on the principal attorney for each party.)

Please enter my appearance (select one):

☐ Pro Se☒ As counsel for:CATALINA MARKETING CORPORATION
Name of party

I am, or the party I represent is (select one):

☒ Petitioner☐ Respondent☐ Amicus curiae☐ Cross Appellant☐ Appellant☐ Appellee☐ Intervenor

As amicus curiae or intervenor, this party supports (select one):

☐ Petitioner or appellant☐ Respondent or appellee

My address and telephone are:

Name:

RICHARD NEIFELD

Law firm:

NEIFELD IP LAW, PC

Address:

RICHARD NEIFELD
10000 WOODBURN DRIVE

City, State and ZIP:

ALEXANDRIA, VA 22304

Telephone:

7034150012 EXT 100

Fax #:

7034150013

E-mail address:

RNEIFELD@NEIFELD.COM

Statement to be completed by counsel only (select one):

☒

I am the principal attorney for this party in this case and will accept all service for the party. I agree to inform all other counsel in this case of the matters served upon me.

☐

I am replacing _____ as the principal attorney who will/will not remain on the case. [Government attorneys only.]

☐

I am not the principal attorney for this party in this case.

Date admitted to Federal Circuit bar (counsel only): 6/10/2003

This is my first appearance before the United States Court of Appeals for the Federal Circuit (counsel only):

☐ Yes☒ No☐ A courtroom accessible to the handicapped is required if oral argument is scheduled.

9/4/2010

Date

Signature of pro se or counsel

cc: _____

FORM 9. Certificate of Interest

UNITED STATES COURT OF APPEALS FOR THE FEDERAL CIRCUIT

CATALINA MARKETING CORPORATION v. KAPPOS, DIRECTOR OF THE USPTO

No. _____

CERTIFICATE OF INTEREST

Counsel for the (petitioner) (appellant) (respondent) (appellee) (amicus) (name of party)

RICHARD NEIFELD _____ certifies the following (use "None" if applicable; use extra sheets if necessary):

1. The full name of every party or amicus represented by me is:

CATALINA MARKETING CORPORATION

2. The name of the real party in interest (if the party named in the caption is not the real party in interest) represented by me is:

CATALINA MARKETING CORPORATION

3. All parent corporations and any publicly held companies that own 10 percent or more of the stock of the party or amicus curiae represented by me are:

Hellman & Friedman LLC

4. ☒ The names of all law firms and the partners or associates that appeared for the party or amicus now represented by me in the trial court or agency or are expected to appear in this court are:

NEIFELD IP LAW, PC, BRUCE MARGULIES, ROBERT HAHL, DANIEL SACHS

9/4/2010

Date

Signature of counsel

RICHARD NEIFELD

Printed name of counsel

Please Note: All questions must be answered

cc: _____